

Appl. No. 09/925,980
In re PIERRET, et al.
Reply to Office Action of May 30, 2003

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated May 30, 2003. This amendment and request for reconsideration is intended to be fully responsive thereto.

The drawings were objected to for not including text, deemed necessary for clarity, in formal form. The drawing figures 3 and 5 have been corrected to including text in formal form. No new matter has been entered.

The specification has been amended to correct minor inconsistencies and orthographical errors.

Claims 1-8 and 11-18 were rejected under 35 U.S.C. §102(b) as being anticipated by Hartford et al. (USP 4,255,789). Claims 9, 10, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hartford in view of "common knowledge in the art". Applicant respectfully disagrees.

Anticipation under Section 102 requires that a prior art reference disclose every claim element of the claimed invention. *E.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1574, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986). Anticipation must be found in a single reference. *E.g., Studiengesellschaft Kohle, m.b.H. v. Dart Indus., Inc.*, 726 F.2d 724, 726-27, 220 U.S.P.Q. 841 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation. *E.g., Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 715, 223 U.S.P.Q. 1264 (Fed. Cir. 1984).

Applicant respectfully submits that Hartford does not meet this standard of anticipation.

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More specifically, Hartford fails to disclose an alternator comprising a stator and a rotor mounted in the stator, a regulator circuit connected in the alternator provided to vary the excitation of the alternator by comparing a signal representing the output voltage of the alternator with a reference voltage.

Contrary to the Examiner's allegations, Hartford discloses a method and apparatus for controlling one or more of the operating functions of an internal combustion engine such as the on-off control of the fuel pump, the control of fuel injection, ignition timing and pulse-width control, on-off and/or proportional EGR control, and the like, as well as making provisions for implementing closed loop control of various engine-operating functions. In fact, there is no mention or reference to any alternator and the regulator circuit thereof in Hartford et al. '789.

The Examiner further erroneously alleges that the regulator circuit connected in the alternator is illustrated in Figures 7-7H. Contrary to the Examiner's allegations, Fig. 7 is a block diagram generally illustrating the power control circuitry and analog output circuitry associated with block 125 of FIG. 2, while the circuits of block 125 respond to the pulse-width inputs and supply the necessary drive current to operate the fuel injectors, fuel pump, ignition coils, EGR actuators and the like (see column 15, lines 56-59). Furthermore, FIG. 7H is an electrical diagram of an ignition limp-home circuit which may be utilized as one embodiment of or a portion of the get-home circuit of block 135 of FIG. 2. Similarly erroneous is the Examiner's reference to the Fig. 5H as showing the conversion circuit connected to the regulator circuit.

Accordingly, the rejection of claims 1-8 and 11-18 under 35 U.S.C. §102(b) is improper.

In the event that the Examiner maintains this rejection of claims 1-8 and 11-18 in a future

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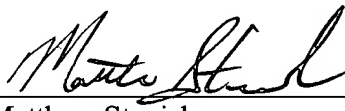
written communication, the Examiner is requested to point out with specificity where Hartford teaches using the claimed alternator comprising the regulator circuit connected in the alternator provided to vary the excitation of the alternator by comparing a signal representing the output voltage of the alternator with a reference voltage.

Applicant further respectfully submits that claims 9-10 depending on claim 1, and claims 19-20 depending on claim 11 include all of the distinguishing features thereof, and are not anticipated by Hartford for the reasons discussed above and for the additional reason that the added subject matter of the dependent claims, when taken in conjunction with the features of claims 1 and 11, is neither disclosed in nor reasonably suggested by the applied art.

It is respectfully submitted that claims 1-20 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited.

Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

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